



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/827,464

04/19/2004

Simon Chu

3304.2.128

2974

21552

7590

08/02/2006

MADSON & AUSTIN
GATEWAY TOWER WEST
SUITE 900
15 WEST SOUTH TEMPLE
SALT LAKE CITY, UT 84101

EXAMINER

KERVEROS, JAMES C

ART UNIT

PAPER NUMBER

2138

DATE MAILED: 08/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/827,464

Applicant(s)

CHU, SIMON

Examiner

JAMES C. KERVEROS

Art Unit

2138

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☒ Claim(s) 1-13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This is a Non-Final Action in response to Amendment filed 7/17/2006.

Claims 1-27 are pending and presently under examination.

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d), for TAIWAN Application NO. 092109403, filed: 04/22/2003. The certified copy has been filed in parent Application No. 10/827,464, filed on 4/19/2004.

The objection to the abstract of the disclosure is hereby withdrawn in view of the amendment to the abstract.

Objection of Claims 1-27 is hereby withdrawn in view of the Amendment to the claims.

Response to Arguments

Applicant's arguments, see Amendment filed 7/17/2006, with respect to the rejection of claims 1-27 under 35 U.S.C. 102(b) as being anticipated by Lin et al. (U.S. Patent No. 6,421,798), have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground of rejection is made under 35 U.S.C. 102(e) as being anticipated by Stern et al. (U.S. Patent No. 7,000,159), as set forth in the present Office Action, below.

Claim Objections

Claims 1-13 are objected to because of the following informalities:

Claims 1 and 2, the term "accessing to" and "accesses to" should be changed to --accessing the--and --accesses the--, respectively. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, as currently amended, the phrase "so as to" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Stern et al. (U.S. Patent No. 7,000,159) filed: March 10, 2003.

Regarding independent Claims 1, 14, 17, Stern discloses a control circuit (handling system, 10) for testing a memory control module (14), the memory control module 14 comprising first and second memory blocks, such as test block assignment module 18 of management module 16 divides the total memory 14 into base memory

block 42 and a plurality of test memory blocks (A-I 44-60) as shown in Figure 2. For examination purpose the first and second memory blocks of the claimed invention correspond to memory blocks A and B. The control circuit 10, Figure 1, comprising:

A processing unit (CPU) 28 executes a memory testing program by invoking test management module 16, which performs both data and address testing on memory 14 by writing a series of data points on the memory, then reading back the data, and then comparing the data pattern it wrote to the data pattern it read. If the data patterns are the same, then the memory is functioning correctly. Test management module 16 further performs address testing by sending a message to a particular memory address. Test block pointer 20 records the most recently tested memory test block and indicates the next test block slated for testing, example the first memory block A (44).

A control chip (memory controller 26) in communication with the processing unit (CPU) 28 and the memory control module (14), for accessing the second memory block (B) by using test block pointer 20 which indicates the next test block slated for testing the second memory block B after testing block (A).

Regarding Claims 2, 5-11, 18, 19, 21, 25, 27, Stern discloses a control chip (memory controller 26), which controls the data, the address and the READ/WRITE commands to the memory control module (14). The memory size is 2^n =number of addresses, where n =number of lines. For example, in step 86, CPU 28 copies the BIOS from its ROM chip to the address F000 on the RAM portion of memory 14. Therefore, F000 corresponds to 16 lines of address. Then, the memory size is 2^{16} = number of

addresses. If $n=32$ as claimed, then 2^{32} = number of addresses. Therefore, one can easily determine the size of each memory block depending on the address lines.

Regarding Claims 3, 4, 15, 16, 20, 26, Stern discloses a mapping circuit corresponding to the test block pointer 20 which is part of the (memory controller 26), which is in communication with the processing unit (CPU) 28 and the memory control module (14), for accessing the second memory block (B) by using test block pointer 20 which indicates the next test block slated for testing the second memory block B after testing block (A).

Regarding Claims 12, 13, 22-24, Stern discloses BIOS 12, which serves as an intermediary between the operating software (such as operating system 36) and hardware (such as memory 14), and which runs a Power On Self Test (POST) routine (as described below with respect to FIG. 3). The BIOS starts to run the POST routine during a boot operation, which includes a so-called cold boot operation. For instance, a cold boot occurs when a user activates the information handling system 10's on-switch.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES C. KERVEROS whose telephone number is (571) 272-3824. The examiner can normally be reached on 9:00 AM TO 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

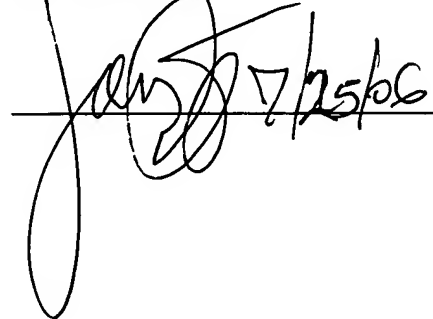
Art Unit: 2138

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

US PATENT AND TRADEMARK OFFICE
Alexandria, VA 22314
Tel: (571) 272-3824, Fax: (571) 273-3824
Email: james.kerveros@uspto.gov

Date: 25 July 2006
Office Action: Non-Final Rejection

JAMES C KERVEROS
Examiner
Art Unit 2138

A handwritten signature in black ink, appearing to be 'JCK', is written over a horizontal line. To the right of the signature, the date '7/25/06' is handwritten.